

Sixth Appellate District

San Jose, California

MONDAY, JULY 30, 2007

H030445 EULENBERG et al. v. RODRIGUEZ et al.

The notice of appeal was accordingly untimely and the appeal is hereby dismissed. (not published)

(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed July 30, 2007

H029919 PEOPLE v. MEJIA

The judgment is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed July 30, 2007

H029759 PEOPLE v. HOWARD, et al.

The judgment is modified to amend the probation condition relating to association with gang members as follows: "The defendant is not to associate with individuals known to him to be identified by a probation officer as members of a criminal street gang." As modified, the judgment is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed July 30, 2007

H029009 PEOPLE v. SERPA

The judgment is affirmed. The transcript of the in camera hearings of October 28, 2003, and August 20 and September 10, 2004 and the copy of Exhibit A are hereby ordered resealed and may not be viewed except upon the order of a court of competent jurisdiction (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed July 30, 2007

H030919 PEOPLE v. RANGER INSURANCE COMPANY

The order denying Ranger's motion to set aside the forfeiture of the bail bond and to determine that the bond was exonerated is affirmed. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed July 30, 2007

H029960 In re Marriage of BULIK and NORDQUIST

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed July 30, 2007

Sixth Appellate District

San Jose, California

TUESDAY, JULY 31, 2007

H030829 PEOPLE v. WANG

The conditions of probation are modified to delete the requirement that defendant pay probation supervision fees in the amount of \$64 per month; however, the order that defendant pay such fees is affirmed. As modified, the judgment is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed July 31, 2007

H030678 PEOPLE v. CASTILLO

The court is directed to modify the judgment by striking the \$600 restitution fines (§ 1202.4, subd. (b)) imposed on August 11, 2006 in both cases. The \$200 restitution fines imposed in January 2002 (case number SS0011561) and March 2002 (case number SS020755), remain in force. The court is directed to modify the judgment by reducing the parole revocation restitution fines (§ 1202.45) in both cases to \$200. As so modified, the judgment is affirmed. The court is also directed to correct a clerical error in the abstract of judgment filed on August 15, 2006 and record the sentence on the petty theft with a prior in case number SS011561 as the upper term of three years, to be served concurrent with the sentence in case number SS020755. The trial court is directed to prepare an amended abstract of judgment in accordance with this disposition and to deliver it to the Department of Corrections. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed July 31, 2007

H031109 PEOPLE v. ESPINOZA

The judgment is affirmed. (not published)

(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed July 31, 2007

H030022 PEOPLE v. SHUM

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed July 31, 2007

H029471 PEOPLE v. LE GRAND

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed July 31, 2007

Sixth Appellate District

San Jose, California

Tuesday, July 31, 2007 (continued)

H030812 PEOPLE v. MARTIN

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)  
Filed July 31, 2007

WEDNESDAY, AUGUST 1, 2007

H028934 PEOPLE v. MEDEIROS

The judgment is reversed. (not published)  
(Mihara, J.; I concur: McAdams, J.; dissenting opinion by Bamattre-Manoukian, Acting P.J.)  
Filed August 1, 2007

H030410 SCHLAFLY v. SCHLAFLY

The June 20, 2006 attorney's fees order is affirmed. (not published)  
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)  
Filed August 1, 2007

H030595 PEOPLE v. GONZALEZ

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed August 1, 2007

H030180 CRANSTON v. CRANSTON

The order awarding permanent spousal support to Mary in the monthly amount of \$3,000 is affirmed. (not published)  
(Duffy, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)  
Filed August 1, 2007

THURSDAY, AUGUST 2, 2007

H030884 PEOPLE v. GONZALES

The judgment is affirmed. (not published)  
(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)  
Filed August 2, 2007

H029178 PEOPLE v. FEIGLEY

The trial court is ordered to amend the abstract of judgment to correct the sentence length, date of conviction and presentence custody credits. We strike the no contact order and court security fee. We affirm the judgment as so modified. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed August 2, 2007

Sixth Appellate District

San Jose, California

Thursday, August 2, 2007 (continued)

H030624 E-FAB, INC. v. ACCOUNTANTS, INC. SERVICES

By the Court:

Pursuant to California Rules of Court, rule 8.1105(b), the request for publication is hereby granted. It is ordered that the opinion in this matter, filed on July 16, 2007, shall be certified for publication.

(McAdams, J.; Bamattre-Manoukian, Acting P.J., Duffy, J.)

Dated: August 2, 2007

H030514 PEOPLE v. CASAS

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed August 2, 2007

H031268 PEOPLE v. GRACA

The judgment is affirmed. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed August 2, 2007

H029323 PEOPLE v. LANDECHO

By the Court\*:

Respondent's petition for rehearing is granted.

Filed: August 2, 2007

\*Before Rushing, P.J., Mihara, J. and McAdams, J.

FRIDAY, AUGUST 3, 2007

H027660 PEOPLE v. AUYON

By the Court\*:

Respondent's petition for rehearing is granted.

Within 15 days from the date of filing of this order, appellant may submit a supplemental brief addressing the points raised in the petition.

Filed: August 3, 2007

\*Before Rushing, P.J. and Elia, J.

Sixth Appellate District

San Jose, California

Friday, August 3, 2007 (continued)

H030237 PEOPLE v. SCHOTL

The judgment based on the existing plea is modified, reversing the attorney fees order, and the case is remanded to the trial court to conduct a hearing on the issue of defendant's ability to pay attorney fees.

The order on the motion to withdraw the plea is reversed and the matter is remanded to the superior court for the appointment of conflict-free counsel to consult with defendant regarding a renewed motion to withdraw the plea. After consulting with counsel, defendant will have the option of renewing his motion to withdraw the plea or may elect to withdraw his motion to withdraw his plea. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed August 3, 2007

H030833 PEOPLE v. GUZMAN

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed August 3, 2007

H030846 PEOPLE v. DEWEAVER

The judgment is affirmed. (not published)

(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed August 3, 2007